



Dogs Seized Under Police Investigation Policy

Policy

1. Introduction

1.1 This policy details the functions and services provided by the Surrey Police Rural Officers. It includes the process to be followed when dealing with dogs which are seized as part of an investigation and the action that should be taken during the investigation process. This Policy does **not** apply to Dangerous Dogs Act Seizures.

Refer to Police Dog Unit Policy (Surrey and Sussex) (1154) for the process to be followed when dealing with a dog incident as defined by the Dangerous Dogs Act 1991.

2. Scope

2.1 This policy and subsequent procedure provide a framework for dealing with seized dogs and the outcomes.

3. Policy Statement

3.1 Surrey Police will ensure that dogs seized are placed within an approved kennelling service until the investigation completed and the dog is either re-homed or humanely destroyed or returned to lawful owner.

Procedure

1. Background.

1.1 The seizing and retention of dogs may arise for a number of reasons including but **not** exclusively restricted to:

- Dogs which have been used in criminal activity (for example hare coursing) and where it is vital to seize and retain the dog(s) as both a disruption method to prevent further offending and to prevent the loss of evidence.
- Dogs which are suspected to have been stolen or subject of crime will often be subject of an ownership dispute or require time to establish lawful ownership.

- Dogs seized mainly under Section 18, 22 or 35 of the Animal Welfare Act 2006.

1.2 In any investigation it is vital to identify the specific dog in question. Where DNA or forensic analysis has been completed to prove the offence, it is essential that the dog is retained in case the evidence is challenged by the defence.

1.3 It has been noted nationally that dogs which are returned to hare coursers or poachers are not often located again having either been sold on or destroyed. Dogs which fail to be effective poaching / coursing dogs are most often killed and discarded by the suspects.

1.4 Dogs which are subject of theft are known to be traded across force boundaries and international borders. The offenders who commit these types of crimes often travel significant distances across the country increasing the risk of a loss of evidence should a dog be returned during the investigation.

1.5 Following any conviction, where there is a power, a forfeiture order will be requested from the Court to pass ownership of any dog into permanent Surrey Police ownership. Should an order be given the dog will be re-homed to a suitable placement; or in the case of dogs which are deemed dangerous, humanely destroyed.

1.6 For these reasons the best course of action is seizure and retention of dogs for the duration of any investigation and Court proceedings.

1.7 Surrey Police seized dogs are placed within an approved kennelling service. The costs associated with the retention of seized dogs can be significant.

2. Investigations

2.1 Early in the stages of any investigation where a dog(s) is seized, it is to be established whether there is a realistic prospect of conviction. In the first interview with any suspect the ownership of the dog(s) is to be established and the owner given the opportunity to permanently disclaim the dog(s) into Surrey Police' ownership. If it is agreed the dogs are to be re-homed to a suitable candidate the Property Disclaimer Form must be completed. If the owner refuses to disclaim the dog(s) the process below will commence.

3. No Further Action (NFA)

3.1 Where investigations are to be finalised swiftly via NFA or any other Out of Court Disposal option then the dog(s) will be retained in kennels and a Torts (Interference with goods) Act 1977 notice to be issued to the owners. These notices explain that the investigation is not being taken any further and evidence of proof of ownership must be provided for the dog(s) and swiftly collected by the owner. If the dog is not collected within the time given on the Tort notice the dog will be disposed of. In the majority of circumstances we will seek to rehome the dog but in the minority of cases we will be led by veterinary advice, where some other outcomes may be considered.

Please contact the Rural officers (WildlifeCrimes@surrey.police.uk) for further assistance with the Tort notices.

Acceptable proof of ownership could be considered as is:

- A bill of sale from the breeder,
- Evidence of purchase,
- Pedigree certificate,
- Vet records corresponding to the dog,
- Microchip record documentation.

It is important to recognise that some of the above documents can be fraudulently produced. Care should be taken when viewing proof of ownership.

Team: Rural Crime